

TITLE VII: TRAFFIC CODE

Chapter

- 70. COMPREHENSIVE TRAFFIC CODE**
- 71. GENERAL PROVISIONS**
- 72. PARKING SCHEDULES**

CHAPTER 70: COMPREHENSIVE TRAFFIC CODE

Section

70.01 Comprehensive Motor Vehicle and Traffic Code

§ 70.01 COMPREHENSIVE MOTOR VEHICLE AND TRAFFIC CODE.

(A) From and after the date of passage of this section, the official Traffic Code of the village, as prepared by Walker, Luckey, Whitehead and Sipple, Attorneys, is hereby approved and accepted as the official Traffic Code of said village.

(B) It is hereby adopted that as a method of perpetual codification the loose leaf type of binding, whereby each newly adopted ordinance amending, altering, adding to or deleting provisions of the official Traffic Code is to be identified by the proper catch line and is inserted in the proper place in each of the official copies.

(C) At least three copies of this Village Traffic Code shall at all times be on file and available for inspection in the office of the Village Clerk.
(Ord. 78, passed 10- -1971)

CHAPTER 71: GENERAL PROVISIONS

Section

- 71.01 Truck route
- 71.02 Loud/disturbing noise
- 71.03 All-terrain vehicles

- 71.99 Penalty

§ 71.01 TRUCK ROUTE.

(A) It shall be unlawful for any person, to drive, operate or be in actual physical control of a tractor trailer upon any portion of the roads, highways, alleys or streets of the village, except as set forth herein.

(B) It shall be lawful for any person to drive, operate or be in actual physical control of a tractor trailer, within the corporate limits of the village, at the intersection of 1st Street and Main Avenue North to 13th Street on Main Avenue and from the intersection of Main Avenue and 8th Street East to the end of the corporate limits of the village.

(C) It shall be an affirmative defense to this section if said driver can show that he or she is delivering or picking up goods, wares or merchandise within the corporate limits of the village when such deliver or pick up is made by use of the shortest route from the closest truck route where able. (Ord. 132, passed 5-4-1998) Penalty, see § 71.99

§ 71.02 LOUD/DISTURBING NOISE.

It shall be unlawful for any person in any part within the village to make, or cause to be made, loud or disturbing noises within any mechanical devices operated by compressed air and used for purposes of assisting breaking on any semi-tractor, commonly referred to as “Jake braking”. (Ord. 135, passed 11-2-1998) Penalty, see § 71.99

§ 71.03 ALL-TERRAIN VEHICLES.

(A) (1) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALL-TERRAIN VEHICLE. Any motorized off-highway vehicle which: is 50 inches or less in width; has a dry weight of 900 pounds or less; travels on three or more low-pressure tires; is designed for operator use only with no passengers or is specifically designed by the original manufacturer for the operator and one passenger; has a seat or saddle designed to be straddled by the operator; and has handlebars or any other steering assembly for steering control.
(Neb. RS 60-6,355)

STREET or ***HIGHWAY.*** The entire width between the boundary limits of any street, road, avenue, boulevard or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
(Neb. RS 60-624)

(2) An all-terrain vehicle may be operated on streets and highways within the corporate limits of the village only if the operator and the vehicle comply with the provisions of this section.

(3) An all-terrain vehicle may be operated only between the hours of sunrise and sunset and shall not be operated at a speed in excess of 30 mph. When operating an all-terrain vehicle as authorized in division (A)(2) above, the headlight and taillight of the vehicle shall be on and the vehicle shall be equipped with a bicycle safety flag which extends not less than five feet above ground attached to the rear of such vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than 30 square inches and shall be day-glow in color.

(4) Any person operating an all-terrain vehicles as authorized by division (A)(2) above shall have:

(a) A valid Class O operator's license or a farm permit as provided in Neb. RS 60-4,126;
and

(b) Liability insurance coverage for the all-terrain vehicle while operating the all-terrain vehicle on a street or highway. The person operating the all-terrain vehicle shall provide proof of such insurance coverage to any peace officer requesting such proof within five days of such a request.

(5) All-terrain vehicles may be operated without complying with divisions (A)(3) and (A)(4) above on streets and highways in parades which have been authorized by the state, or any department, board, commission or political subdivision of the state.

(6) An all-terrain vehicle shall not be operated on any controlled-access highway with more than two marked traffic lanes, and the crossing of any controlled-access highway with more than two marked traffic lanes shall not be permitted. Divisions (A)(2) through (A)(4) above and (A)(7) below

authorize and apply to operation of an all-terrain vehicle only on a street or highway other than a controlled-access highway with more than two marked traffic lanes.

(7) Subject to division (A)(6) above, the crossing of a street or highway shall be permitted by an all-terrain vehicle without complying with divisions (A)(3) and (A)(4) above only if:

(a) The crossing is made at an angle of approximately 90 degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing;

(b) The vehicle is brought to a complete stop before crossing the shoulder or roadway of the street or highway;

(c) The operator yields the right-of-way to all oncoming traffic that constitutes an immediate potential hazard;

(d) In crossing a divided highway, the crossing is made only at an intersection of such highway with another highway; and

(e) Both the headlight and taillight of the vehicle are on when the crossing is made.

(B) A person who violates division (A) above shall be punished as provided generally in the municipal code.

(C) Any other ordinance or section passed and approved prior to passage, approval and publication of this section and in conflict with its provisions is repealed.

(Ord. 160, passed 9-4-2007) Penalty, see § 71.99

§ 71.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Every person who shall be convicted of violating § 71.01 shall punished by a fine not exceeding \$100.

(C) The operator of any vehicle found to be in violation of § 71.02 shall be subject to a fine of up to \$500.

(Ord. 132, passed 5-4-1998; Ord. 135, passed 11-2-1998)

CHAPTER 72: PARKING SCHEDULES

Schedule

I. Parking restricted

SCHEDULE I. PARKING RESTRICTED.

(A) It shall be unlawful to park or let stand any motor vehicle on west side of Main Avenue in the village between a point ten feet north of the north line of 8th Street and a point 50 feet north of the north line of 8th between the hours of 5:00 a.m. and 6:00 a.m., or the hours of 6:00 p.m. and 7:00 p.m. This restriction shall not apply to vehicles in the service of the U.S. Postal Service picking up and delivering mail to the U.S. Post Office in the village.

(B) It shall be unlawful to park or let stand any semi-truck tractor or trailer on the east side of Main Avenue in the village, between the north line of North Boulevard and a point 150 feet north of the north line of North Boulevard.

(C) Violators of this ordinance shall punished by up to a \$100 fine per occurrence plus the costs of prosecution, vehicles may be towed at the vehicle's owner's expense.

(D) The invalidity or unenforceability of any section of this ordinance or part thereof shall not effect the validity or enforceability of any other section hereof.

(E) All ordinances and resolution and parts thereof in conflict herewith are hereby repealed.
(Ord. 125, passed 2-7-1994)

